

1 Q Okay. So---

2 MR. PAYNE: Can I ask you one thing, please?

3 MR. NELSON: Sure.

4 MR. PAYNE: On this -- it's not on this --

5 A And this door is not here. This door is down here.

6 Q I see. Okay. So three is in the incorrect spot?

7 A Right. It's down in this room.

8 Q Okay. What room is that?

9 A It's the ballroom.

10 Q So the door into the ballroom?

11 A Uh-huh.

12 Q So I'm going to cross out three and I'm going to put a

13 three with a circle over there, okay?

14 A Right.

15 Q So there's a door in the ballroom, is that the only

16 door that's not depicted on this diagram because the diagram is

17 incomplete?

18 A To the outside yes.

19 Q You said in addition to a ballroom, there's another

20 room you named it?

21 A This is the kitchen. So half of this -- part of

22 this is kitchen and this is ballroom and some of this is kitchen

23 here. And this wall is pretty well burned but some of this is

24 still intact and then this is intact going down this way.

25 MR. PAYNE: Don't mark on things unless he asks you

1 to.

2 THE WITNESS: Oh okay.

3 Q That's okay. I was going to ask you to do that.

4 A He had asked me to put the mark of the burned area.  
5 And like that, that part is somewhat intact.

6 Q Okay. Now, I've asked you if you had an opinion as  
7 to how the fire started and you said arson, can you give me any  
8 facts that support that besides the way the building burned?

9 A No. I've never seen a fire before or been around a  
10 fire before. It just seemed to be an incredible massive blaze.

11 Q Did you at the time you were being investigated or  
12 talked to by the SBI, did you tell them what you thought the  
13 cause of the fire was?

14 A No because I had no idea what the cause is.

15 Q Do you suspect anybody in burning it?

16 A I had no specific person.

17 Q I take from that that you have some thoughts. Maybe  
18 not specific to a person but some thoughts?

19 A Well, I provided the documentation of the issues  
20 that we were struggling with at the time. And as I told your  
21 investigators I don't think any one of the individuals involved  
22 would have set the fire themselves. You know, a boyfriend might  
23 have or a relative or somebody they employed maybe but I really  
24 don't think any of them would be capable of doing that  
25 themselves.

1 Q When you use the word "them" so who are the people  
2 that are "them" that you're excluding?

3 A Bland Holland, who's the person -- one of the people  
4 that we were suing and had sued before, the Michels, especially  
5 Mrs. Michels and Jim Sloggart. You know, those are the people I  
6 thought had a motive maybe to try to do it.

7 Q But you in your mind have excluded them as likely?

8 A As actually doing it, yes. And I have a hard time  
9 imagining them paying anybody to do it. They may have suggested  
10 it to somebody that owed them a favor or something but I don't  
11 know.

12 Q Okay. So, Dr. Gray, in front of you is Exhibit 19,  
13 that's a photograph, an aerial photograph, does that look like  
14 the grounds of the Richmond Hill Inn?

15 (Thereupon, Exhibit Number 19 is marked for  
16 identification.)

17 A Yes.

18 Q Remember those blue lines you drew on the diagram  
19 showing what parts of the inn survived?

20 A Uh-huh.

21 Q Can you do that again in this photograph?

22 MR. PAYNE: You have to say yes or no.

23 THE WITNESS: Oh yes.

24 Q So before we let you loose with the marker. I want  
25 to make sure we all know what you're going to do here. So it seems

1 to me that you're saying that this part of the building  
2 survived, is that fair?

3 A No.

4 Q What part of the building survived?

5 A This part right here.

6 Q Just on the roof line of that building can you draw  
7 with the blue marker the part that survived?

8 MR. PAYNE: Before he does that. Do you think the  
9 blue's going to show with all that blue on there?

10 MR. NELSON: Yeah, let's do it in orange.

11 MR. PAYNE: That might be a little better.

12 Q That's a good idea.

13 A The first floor of it survived, the second floor and  
14 third floors did not.

15 Q So are you drawing on the roof line to show what  
16 parts of the second floor survived?

17 A First floor.

18 Q Show me what parts of the first floor survived with  
19 that orange marker.

20 A This part here and something like this. I don't  
21 know where it connects there.

22 Q On the evening of the 18th?

23 A Yes.

24 Q That would be the day before the fire, what time did  
25 you go to sleep?

1 A About 10:30.

2 Q Where did you retire to?

3 A I was staying down here in a suite down in the  
4 garden pavilion.

5 Q Well, we're going to mark the photograph in a minute  
6 but you just pointed to the garden pavilion, right?

7 A Right.

8 Q I'm giving you a pink marker now and I'd like you to  
9 circle where that suite is in the garden pavilion?

10 A (Witness complies.)

11 Q Okay. And I'm sorry. What time, ten o'clock?

12 A 10:30.

13 Q Were you alone that night?

14 A Yes.

15 Q Was anybody else in the garden pavilion that night  
16 besides you?

17 A No.

18 Q Was anybody else on the grounds that night the whole  
19 entire grounds at Richmond Hill Inn besides you that you're  
20 aware of?

21 A Not at that time, no.

22 Q Who was the last person besides yourself to be on  
23 the grounds as far as you know?

24 A The masseuse and one of her clients and they left  
25 about 8:15.

1 Q Can you indicate the building they were in?

2 A They were in this building over here.

3 Q We'll see if the blue shows up cause I do want it to  
4 be a little different. So what did you call this building over  
5 here?

6 A It's called the carriage house but it's where our  
7 spa is.

8 Q So I've highlighted the carriage house in blue,  
9 okay. Is that fair?

10 A Yes.

11 Q What time was the masseuse in the carriage house?

12 A My staff left by 6:30 down here and I went and  
13 locked the gate about 6:30.

14 Q Okay. You just pointed to the gate.

15 A There's a gate here.

16 Q So I'm going to ask you with an orange marker to  
17 mark where the gate is on that road? That doesn't show up that  
18 well at all.

19 A And then I drove---

20 MR. PAYNE: Wait a minute. I may have a yellow  
21 highlighter.

22 MR. NELSON: I have a yellow, too. Let's leave that  
23 orange just so the record's clear.

24 Q So there's an orange mark going across that road,  
25 that's the gate?

1 A Yes, it is.

2 Q So I'm sorry. You were about to tell us a story.

3 A And then I drove on up here and as I was going over  
4 here I realized there were some cars here so then I went back  
5 down this way, came back around, unlocked the gate and then  
6 about 7:15 I went back out again to check, went that way in my  
7 car, and checked and they were still here. So I went back and  
8 waited. Then about 8:15 I came back out again and then by then  
9 they were gone and I locked the gate and I went back to my room.

10 Q Dr. Gray, I think you're doing fine answering these  
11 questions but some of the way you've answered them is this way,  
12 that way and you're pointing to the diagram and we're going to have  
13 a hard time getting it on the record. So I'm going to go back over  
14 that a little bit in some more detail, okay?

15 A Okay.

16 Q So at eight o'clock you left the pavilion?

17 A No.

18 Q What was the first part of what you just told us?

19 A I left the pavilion at 6:30.

20 Q And you locked the gate?

21 A And I went up here and locked the gate. And then I  
22 usually---

23 Q Okay. I want to get to the "there". So you left  
24 the pavilion and you went along the roadway to the gate?

25 A Right.

1 Q Were you in a car?  
2 A Yes.  
3 Q What kind of car was it?  
4 A An Expedition.  
5 Q What color?  
6 A Blue.  
7 Q And you got out of the blue Expedition and locked  
8 the gate?  
9 A Locked the gate.  
10 Q And then you drove to the carriage house?  
11 A Right.  
12 Q How did you drive to the carriage house?  
13 A By going in front of the mansion.  
14 Q Then you saw somebody was still in the carriage  
15 house?  
16 A Right.  
17 Q Before you locked the gate you didn't realize that?  
18 A No. I thought the employees were the last people  
19 there.  
20 Q So you had locked the gate the first time because  
21 you thought everybody was gone?  
22 A Right.  
23 Q So then you saw somebody in the carriage house and  
24 thought I better unlock the gate?  
25 A Right.



1 Q And so you went back down to the gate?

2 A Right and unlocked it.

3 Q And where did you go then?

4 A I went back to the garden pavilion to my room and  
5 read. I was reading.

6 Q Did you see anybody leave the carriage house?

7 A No, I did not.

8 Q Did you just give it a fair amount of time and make  
9 the conclusion they probably left?

10 A I went back about 7:15 and they were still at the  
11 carriage house so I went back to my room and I waited about an  
12 hour and I figured they gotta be finished by then and so at 8:15  
13 I left and drove up to the carriage house and there was no  
14 vehicles there, I drove around the carriage house parking lots  
15 and there's nothing there and then I came back down to the gate  
16 and locked it.

17 Q And that was what time?

18 A 8:15.

19 Q At any point that night did you go into the mansion?

20 A No.

21 Q Did you go inside the carriage house?

22 A No.

23 Q Did you go in any of the croquet cottages?

24 A No.

25 Q So the only building you were in on the evening of

1 the 18th was the pavilion?

2 A Right.

3 Q Did you at any point after you locked the gate the  
4 second time unlock that gate?

5 A No.

6 Q I understand the fire department responded to the  
7 fire by going through that gate though?

8 A Yes.

9 Q Do you know if they cut the lock?

10 A They cut the lock.

11 Q Did you ever see the lock cut?

12 A I saw a cut lock, yeah.

13 Q Okay. Where did you have dinner that night, the  
14 night of the 18th?

15 A I ate dinner at a Chinese restaurant off of Patton  
16 Avenue about four o'clock.

17 Q Were you by yourself?

18 A Yes.

19 Q From four to eight did you see anybody?

20 A I saw my staff when I came back from eating.

21 Q Where were they?

22 A They were at the front desk at the garden pavilion  
23 answering the phones and things. They usually finish up about  
24 six and so I chit-chatted with them. Well, there was only one  
25 person there.

1 Q Who was that?

2 A I don't remember which one of my employees it was.  
3 I didn't see her but we have another employee Sarah McCullough  
4 who's our bookkeeper who usually works till 6:30. So that's why  
5 I waited to 6:30 to go lock the gate.

6 Q So you thought Sarah McCullough was the last person  
7 on the grounds the first time you locked the gate?

8 A She normally would have been and I assumed she was.  
9 I didn't know for sure because I didn't go back downstairs.

10 Q Anything unusual about your interaction with Sarah  
11 McCullough that night?

12 A No. I didn't see Sarah McCullough that night.

13 Q You saw this person but you don't remember who it  
14 was?

15 A Yeah at the front desk.

16 Q Was it somebody who -- I mean Cedric works the  
17 grounds, he's your maintenance guy?

18 A Right.

19 Q So it wasn't Cedric?

20 A No, it wasn't Cedric. It was one of our concierges.  
21 I don't remember who was on duty that night.

22 Q Somebody who normally works in the pavilion?

23 A Right.

24 Q When did you become aware of the fire?

25 A I got a call from Susie Zimmerman sometime after one

1 o'clock.

2 Q One o'clock in the morning on the 19th?

3 A Right.

4 Q Did she call you on your cell phone?

5 A Yes.

6 Q What's the number of that cell phone?

7 A 704-663-9988.

8 Q What did she say to you?

9 A She wanted to know if I was okay and said there was  
10 a fire at the mansion and she was on her way. And I put on some  
11 pants over my pajamas and slipped into some shoes and threw a  
12 jacket on and went downstairs where I could see what was going  
13 on.

14 Q Where did you go to?

15 A Down into the foyer down by the dining room.

16 Q Of the pavilion?

17 A Of the pavilion. Yeah.

18 Q So you were inside the building when you first saw  
19 the fire?

20 A Right.

21 Q Did you look out your bedroom window of the suite  
22 you were in to see the fire?

23 A No, I didn't. Because I was in the bathroom when  
24 she called. As I was in the bathroom I grabbed the phone and  
25 put some clothes on that were hanging there.

1 Q You were in the bathroom when she called so you were  
2 awake when she called?

3 A No. The phone was in the bathroom.

4 Q I see. So you were definitely sleeping at the time  
5 she called you?

6 A Yes.

7 Q So after you saw the fire from inside the pavilion,  
8 did you leave the pavilion?

9 A No. When the fire marshal came down, I opened the  
10 door and talked to him.

11 Q How soon after the fire came to your attention did  
12 you talk to this fire marshal?

13 A Probably within three or four minutes after I got  
14 downstairs.

15 Q Do you recall what he asked you?

16 A He was surprised I was there because I scared him.  
17 I opened the door and I asked him about the fire.

18 Q What did you ask him?

19 A I said, you know, "I didn't hear any alarms, how  
20 long have you been here?" And he said well they had turned the  
21 alarms off earlier.

22 Q So he told you they turned the alarms off?

23 A Uh-huh.

24 Q Is that a yes?

25 A Yes.

1 Q You didn't hear any alarms at any point?

2 A I didn't hear any fire trucks or any alarms of any  
3 kind.

4 Q Did you hear any sounds associated with a fire in a  
5 building like breaking glass?

6 A No.

7 Q So after you had this conversation with the fire  
8 marshal about the alarms and the sounds related to the fire, did  
9 you and he talk about anything else?

10 A He asked me if I was the only one on the property  
11 and I said I thought so and that I had locked the gate and I  
12 told him about what time and I really don't remember much of the  
13 conversation. It was about 15 minutes and then he said he had  
14 to leave to go meet Susie and I thought Susie was coming down  
15 there.

16 Q "There" being the garden pavilion?

17 A The garden pavilion. And I didn't realize the roads  
18 were all blocked with fire trucks cause I could not see anything  
19 but over right up here from where I was.

20 Q You just pointed to an area between the mansion and  
21 the carriage house when you say "there"?

22 A Right. There were fire trucks up there and you  
23 could see them spraying the fire at that point.

24 Q Could you actually see the mansion building?

25 A If you went out on the porch or little patio sort of

1 thing you could.

2 Q And how about from inside?

3 A You could to some degree but it's mostly the far end  
4 of building that wasn't burning as bad as the other part was.

5 Q The garden pavilion actually sits down grade from  
6 the mansion, correct?

7 A And off at an angle.

8 Q Okay. At any point did you leave the garden  
9 pavilion?

10 A No.

11 Q So the entire time the fire was going on you stayed  
12 inside that building?

13 A Right.

14 Q Did you talk to anybody else inside the pavilion  
15 while you were there in person, person to person that night?

16 A Not -- well, that morning Susie Zimmerman finally  
17 came over there about 5:30 and she apparently had been up here  
18 with the other people who were watching the fire.

19 Q Every time you say "there," I'm going to just point out  
20 for the record so up by the croquet cottages?

21 A By the croquet cottages. And then she came down  
22 there and I talked to her for a while to see if she knew  
23 anything and I tried to figure out what we were going to do and how  
24 to deal with it.

25 Q How long did you talk to Susie when she came down at

1 5:30?

2 A I don't remember.

3 Q Okay. Try to let me finish my question, okay? Did  
4 you talk to anybody else around that time?

5 A No.

6 Q Had you spoken to anybody else over the phone from  
7 the time you woke up till the time you talked to Susie  
8 Zimmerman?

9 A No.

10 MR. NELSON: Okay. We're going to take a quick break  
11 for about 10 minutes, okay?

12 (Thereupon, a recess is taken from 10:10 a.m. to  
13 10:18 a.m.)

14 Q Dr. Gray, you're back under oath, okay?

15 A Yes.

16 Q Now, the 18th, did you wake up at the Richmond Hill  
17 Inn on the morning of the 18th?

18 A I spent the night there.

19 Q How many nights had you spent there?

20 A Sunday, Monday, Tuesday, and Wednesday nights and  
21 then Thursday night.

22 Q So you stayed in the pavilion on Thursday night?

23 A Yes.

24 Q Did you stay all nights in the pavilion?

25 A Yes all of them were in the pavilion.



1 Q Did you have a standard room that you usually stayed  
2 in?

3 A Generally yes.

4 Q Was it the room you stayed in?

5 A Right. It's a suite with a sofa in it so I could  
6 sit and read and the lighting is good.

7 Q I understand some of these rooms have names to them?

8 A All of them have names to them.

9 Q So what suite was this?

10 A It's called the Thomas Pearson Suite.

11 Q On the 18th when you woke up, can you take me  
12 through your day?

13 A I made coffee, I got dressed, read awhile, just  
14 before nine I went and opened the gate so the staff could come  
15 in, waited till they got there and then I went and had breakfast  
16 at a Bojangles. Then came back to the inn, talked to the staff  
17 that had come in about how things were going, what reservations  
18 were like and I went back up to my room and read awhile, went  
19 back downstairs to my office, went through some papers and  
20 things that I was getting together for the bankruptcy lawyer and  
21 spent most of the day reading and then left again about 4:00 to  
22 go eat.

23 Q Let's break that down a little bit. When the  
24 employees showed up, what time would that have been?

25 A Nine o'clock or a few minutes late some of them --

1 one in particular is a few minutes late usually.

2 Q Why was it your responsibility to unlock the gate?

3 A Because I was the one staying on the property when  
4 we were closed so we wouldn't have to pay for somebody else  
5 being on the property. We always kept somebody on the property  
6 at all times.

7 Q So every night at the Richmond Hill Inn always has a  
8 human watching the premise?

9 A Or somebody on property they may not be watching but  
10 they may be sleeping there. On occasion some of the staff stay  
11 there instead of I. When I had other things I had to be  
12 somewhere else.

13 Q You unlock the gate -- actually let me stay with  
14 that for a moment, who has keys to unlock the gate?

15 A Cedric and myself.

16 Q When you had other staff members watch the place  
17 overnight, did you give them keys to the gate?

18 A Yes.

19 Q So the key goes to whoever's watching the premises?

20 A Watching the place.

21 Q And then Cedric has responsibility for the gate as  
22 well?

23 A Right.

24 Q Is there any possibility Cedric set this fire?

25 A I wouldn't think so.

1 Q On the night of the fire did Cedric have a key to  
2 that lock?

3 A Yes.

4 Q So you unlock the gate, do you remember who arrived  
5 that morning?

6 A No, I don't. One of two people but I'm not sure  
7 which one it was.

8 Q Who were the two people it would have been?

9 A Megan usually works mornings and Kathleen, those are  
10 the two that usually work mornings.

11 Q What are their responsibilities?

12 A They're the -- answer the phone and concierge,  
13 reservation folks.

14 Q Was the inn open for business on Tuesday?

15 A No. It was closed that's why I was -- I only stayed  
16 there normally when it was no one there.

17 Q So when you say closed the restaurant wasn't open in  
18 the mansion?

19 A No, nothing was open.

20 Q We talked at the same time, Dr. Gray, so just let me  
21 finish my question, okay. So the restaurant in the mansion  
22 wasn't open and the restaurant at the pavilion wasn't open?

23 A No.

24 Q And no guests were staying overnight?

25 A No.

1 Q After Bojangles you came directly back to the  
2 pavilion?

3 A Right.

4 Q Did you go in any other building on the grounds that  
5 day?

6 A Wednesday, no.

7 Q When was the last time you were in the mansion?

8 A Monday about closing, people leave by 10 so I went  
9 up there on Monday to make sure everything had gone okay over  
10 the weekend and read the paper cause the paper's delivered up  
11 there.

12 Q Did you have breakfast up there?

13 A No, I don't think I had breakfast up there.

14 Q So then when the last guest left, what time would  
15 that have been?

16 A I don't know for sure but normally about 10, 10:30  
17 and then the staff is usually there till 12 or so and then they  
18 leave.

19 Q So can I take it then from Monday afternoon until  
20 Tuesday morning you're the only one on premise?

21 A No. That's not correct. We always have someone on  
22 premise during the daytime even when we're closed making  
23 reservations, Cedric was working, housekeeping would've been  
24 working, Sarah McCullough would have been working. So it would  
25 have been at least four or five people, gardening people

1 would've been working.

2 Q What time would the last of the regular workers or  
3 the workers leave that day on Monday?

4 A Monday would have been 6, 6:30.

5 Q Normal routine then you stayed from 6:30 until?

6 A The next morning.

7 Q When you open the gate up on Tuesday morning?

8 A Right.

9 Q The same thing Tuesday, people would've been  
10 working, no guests, they would've left around 6, 6:30 you would  
11 have been alone from 6:30 until the morning of Wednesday?

12 A Right.

13 Q Where did you travel from when you went to Richmond  
14 Hill on that Sunday, the Sunday before the fire?

15 A From Mooresville.

16 Q When you went into the mansion on Monday morning,  
17 what rooms did you go into?

18 A My wife likes me to collect the newspapers so I went  
19 and talked to the concierge and then the newspapers are usually  
20 in a garbage bin or the paper bin there for recycling so I got  
21 those out, the old ones took them come back to my car, came back  
22 in, so I went into what we call the library which is a  
23 relaxation room, I sat down and read the paper in the main room  
24 there what we call the great hall, went out the back of the side  
25 door to where my car was parked. I guess that was about it.

1 Q From the time you left the mansion on Monday  
2 morning, had you been in any other building on the grounds  
3 besides the pavilion?

4 A No, I didn't normally roam around the property other  
5 than checking to see people what they're doing and things.

6 Q And when you were in the mansion on Monday morning,  
7 did you go to any floor besides the first floor?

8 A No.

9 Q When was the last time you were in the basement of  
10 the mansion prior to the fire?

11 A I honestly don't remember. We used to eat there, we  
12 had a staff dining room down below the basement so we'd have  
13 lunch there. And when I was up sometimes I ate lunch there.  
14 And that was when Gabrielle's would be open if it wasn't then  
15 people brown bagged pretty much. But I guess sometime in  
16 January, the first part of January.

17 Q Let's go from the fire. You stayed on grounds the  
18 Thursday after the fire, correct?

19 A Right. I planned to leave to go home but after the  
20 fire there were too many things to deal with.

21 Q On the day of the fire besides Zimmerman did you  
22 talk to any other employees?

23 A Oh yeah. All of them came around. I mean they were  
24 all -- a lot of former people who were laid off and everything  
25 came down. Everyone was commiserating and talking about it

1 expressing their opinions on this and that. I mean, there were  
2 a whole lot of people I talked to.

3 Q Besides employees and the fire marshal, did you talk  
4 to anybody else that day after the fire?

5 A The SBI.

6 Q Beside the SBI?

7 A Yeah. I went over and talked to David Gray about  
8 the bankruptcy cause we had been working on filing bankruptcy  
9 since January. So I went over and said "We've just got to do  
10 this," you know.

11 Q Had you made plans in advance to meet with David  
12 Gray?

13 A No, I just went over to his office.

14 Q So the trip on the 19th was unexpected on Gray's  
15 part?

16 A Yes.

17 Q It wasn't scheduled?

18 A No.

19 Q Was he in?

20 A Yes.

21 Q How long did you meet with him?

22 A Just a few minutes.

23 Q Did you tell him about the fire?

24 A Yeah.

25 Q Did you tell him anything about what might have

1 caused the fire?

2 A No. Cause I didn't---

3 Q Did you review any documents while you were there?

4 A No. I signed some stuff that I needed to sign.

5 Q So you signed some bankruptcy related documents on  
6 the 19th?

7 A Yes.

8 Q Was anybody else there besides David Gray that you  
9 spoke with?

10 A His secretary.

11 Q Besides his secretary?

12 A The receptionist.

13 Q Besides those people?

14 A No.

15 Q And that was more just to make sure you could talk  
16 to David, you weren't talking about the fire or the case?

17 A No, I was just saying, you know, "We need to get  
18 this bankruptcy thing going" and I think she had called me  
19 earlier in the week saying I needed to sign something that's why  
20 they hadn't filed it.

21 Q Do you remember her name?

22 A No, I don't know her name.

23 Q What time did you go to Gray's office?

24 A After I went to Bojangles.

25 Q So Bojangles directly to Gray's office?



1           A       Uh-huh. That's why I go to Bojangles that  
2       particular location.

3           Q       And from Gray's office where did you go?

4           A       Back to the inn.

5           Q       The pavilion?

6           A       Yes.

7           Q       Did you talk to anybody that afternoon?

8           A       Yeah. I talked to people all day off and on.

9       Employees. We didn't have any guests.

10          Q       Who notified Harleysville of the loss?

11          A       I have no idea.

12          Q       Anybody on your staff responsible for insurance  
13       issues?

14          A       Sarah McCullough handles all of that.

15          Q       Was she authorized to interact with Harleysville to  
16       tell them about the loss?

17          A       Yes but I understood they called her. At least  
18       that's what she told me.

19          Q       Was she authorized to talk to them?

20          A       Yes.

21          Q       Do you know what she reported to them?

22          A       No, I don't.

23          Q       So Thursday morning you left the premise?

24          A       Yeah, I went and had breakfast.

25          Q       Where did you go?

1 A Bojangles.  
2 Q And after that?  
3 A To David Gray's.  
4 Q And then after that?  
5 A Back to the inn.  
6 Q Am I confusing my dates, isn't the 19th a Wednesday?  
7 A No.  
8 MR. PAYNE: You asked about Thursday.  
9 Q Yeah.  
10 A You asked -- the 19th is Thursday.  
11 Q So you went to Bojangles two days in a row?  
12 A No. The 19th is Thursday.  
13 Q I'm sorry. Thank you. That's where I was going.  
14 So you stayed in the pavilion Thursday night?  
15 A Yes.  
16 Q Friday morning when you woke up, what did you do?  
17 A Made coffee, got dressed, packed because I was going to  
18 go home, I planned to go home Thursday before and then I changed  
19 it and went home Friday. Got the papers together to give to the  
20 SBI guy, made copies of things, he came in in the morning, did a  
21 sniff test, gave him the papers, and went out did something, I  
22 forget what and then I came back and that's when he asked me to  
23 do the sniff test so then I said fine and then after that was  
24 over with I left and drove to Mooresville.  
25 Q So the sniff test you mean with the dog, right?

1 A Yeah.

2 Q And the dog was sniffing on Friday morning?

3 A Friday morning.

4 Q That's the first time the dog sniffed you?

5 A Yes.

6 Q Okay. Were you wearing the same clothes on Friday

7 morning as you were on Thursday?

8 A Yes. And my cast was the same---

9 Q Your what?

10 A My cast was the same.

11 Q Your cast?

12 A My right arm was in a cast. I had hand surgery.

13 Q How far up your arm did the cast go?

14 A To about here.

15 Q Over your elbow?

16 A Uh-huh.

17 MR. PAYNE: Answer aloud, please.

18 A Yeah over my elbow.

19 Q What kind of surgery had you had?

20 A Hand surgery. I had some growths under my joint

21 taken out.

22 Q Okay. Are you right hand dominate?

23 A Yes.

24 Q So did the dog sniff your cast?

25 A Yes.

1 Q Did anybody tell you whether or not the dog had one  
2 kind of reaction or another kind of reaction?

3 A Well, the reaction to me was very different than the  
4 reaction to the firemen. Where he would sit down and because a  
5 fireman obviously had something on their clothes or feet or  
6 something and with me he didn't do that.

7 Q So you saw the dog around the firemen?

8 A Yeah.

9 Q When was that?

10 A The same time. They lined up three people.

11 Q Okay. Where was that?

12 A At the garden pavilion.

13 Q So three people came to the garden pavilion?

14 A They were down there, yes, with the dog.

15 Q But the three people were fire department people?

16 A Right.

17 Q Did it look like they brought the fire department  
18 people down so the dog could purposely do that?

19 A Right. Well, sniff, you know, me and some other  
20 people to compare it with.

21 Q Were you wearing the same shoes as the day before?

22 A Right.

23 Q Besides undergoing that sniff test, did you do  
24 anything else besides talk to the SBI?

25 A Not that I can remember.

1 Q Did you talk to any of the three people that were  
2 there for the sniff test?

3 A No. They were firemen that had come down from the  
4 fire.

5 Q They were just there to be sniffed?

6 A Yeah.

7 Q Do you know if the dog evaluated anyone else besides  
8 you and these firemen, anybody on your staff?

9 A I have no idea.

10 Q How soon after the sniff test did you leave the  
11 premise?

12 A Fairly soon after that. I had been due home  
13 Thursday so I needed to try to get back.

14 Q I'm sorry. Could you say that again?

15 A I had been due home Thursday so I was trying to get  
16 back.

17 Q Okay. Were you aware there's a gentleman by the  
18 name Al Wolford on behalf of the insurance company who was  
19 trying to talk to you on Thursday and Friday?

20 A No.

21 Q Nobody from your staff made you aware that Mr.  
22 Wolford wanted to talk to you?

23 A No. I met with somebody on Sunday, I think it was.

24 Q At the Cracker Barrel?

25 A Yeah.

1 Q None of these gentlemen in the room with me today,  
2 right?

3 A I don't know.

4 Q Only one person, right?

5 A I've seen them before so I'm not sure where I saw  
6 them. At the inn I think but.

7 Q What is Sarah McCullough's role with your  
8 organization?

9 A She's the bookkeeper.

10 Q Does she ever use the title controller or anything  
11 like that?

12 A Not that I know of.

13 Q Did you empower her to make certain decisions on  
14 behalf of the organization?

15 A You know, things to do with paying the bills and  
16 that type of stuff.

17 Q So she had the authority to pay the bills?

18 A Yes.

19 Q Did she have the authority to have interactions with  
20 your insurance agent?

21 A Right. She did.

22 Q Does that right mean yes?

23 A Yes.

24 Q Who was your insurance agent at the time of the  
25 fire?

1           A       Somebody in Black Mountain I don't know what their  
2    name is.  
3           Q       You don't know the name of the agency?  
4           A       No.  
5           Q       Do you know the name of the agent?  
6           A       No.  
7           Q       Was that all left up to Sarah McCullough?  
8           A       Yes.  
9           Q       Was she the one that picked the insurance company?  
10          A       I think the agent picked the company. She's the one  
11    who handled it.  
12          Q       Who's the she?  
13          A       Sarah McCullough.  
14          Q       So Sarah McCullough handled it on behalf of Richmond  
15    Hill on behalf of The Hammocks?  
16          A       Right.  
17          Q       Then she interacted with whoever the agent was in  
18    Black Mountain?  
19          A       Right. And the agent lined up the insurance  
20    company.  
21          Q       Do you know who the insurance company was before  
22    Harleysville?  
23          A       No. I provided you with it but I don't remember who  
24    it is.  
25          Q       Before the fire had you ever heard of the

1 Harleysville Insurance Company?

2 A No, never heard of it.

3 Q Dr. Gray, if you look at Exhibit 5, these documents  
4 have the numbering at the bottom of the right-hand corner of the  
5 page. Do you see that?

6 (Thereupon, Exhibit Number 5 is marked for  
7 identification.)

8 A Yes.

9 Q Okay. I'll direct you to Exhibit 5, page 0250, do  
10 you see that? Do you see the first page?

11 A First page, yes.

12 Q Now, do you see the signature on the left-hand side?

13 A Sarah McCullough.

14 Q Does that look like her signature to you?

15 A Yes, it does.

16 Q See the name Cheryl Reavis to the right of that?

17 A Right.

18 Q You ever interact with Cheryl Reavis in any way?

19 A I don't really know.

20 Q Okay. I'd like you to look at the questions that  
21 appear above those signatures where it says general information?

22 A Yes.

23 Q And there's check marks in the boxes for either yes  
24 or no, do you see that?

25 A Yes.



1 Q I'd like you to look at those questions and assume  
2 you were answering this application for insurance, I'd like you  
3 to tell me whether or not the yeses or the nos are inaccurate.  
4 Do you understand what I'm asking you to do?

5 A I think so. I think they're correct.

6 Q So if I had to ask you to answer those questions  
7 assuming it's around October 2008 those would be your answers as  
8 well?

9 A Right.

10 Q And I'd like you to turn to page 255, you'll see  
11 some more questions under general information and there's some  
12 X's in the box there, do you see those?

13 A Yes.

14 Q Again, I'd like you to go through this process where  
15 you look at these questions and tell me whether or not you would  
16 answer those any differently?

17 A There are several things I would wonder about.

18 Q Tell me what you would wonder about. And tell me by  
19 question number if you don't mind.

20 A All right. The recreational we do have croquet  
21 provided so that's incorrect if you consider croquet  
22 recreational which I would. And we do sponsor civic programs at  
23 the inn sometimes like to provide the venue for a fundraising  
24 tea or something along that line.

25 Q What question are you responding to there?

1           A       Oh, 11. I'm sorry. The first was nine and the next  
2       one's 11. On the 14th I'm not sure how to answer that since The  
3       Hammocks is a joint venture with The Gateway Park Properties  
4       itself because they're the developers.

5           Q       Okay.

6           A       Under 18 we've had a fair number of thefts from the  
7       mansion back in the fall of last year.

8           Q       Last year being 2008?

9           A       2008. We had three TVs stolen and a bunch of  
10      antiques and other things like that that went on which were  
11      reported to the police but nothing ever found on it. Those are  
12      the ones I would question about how to answer them.

13          Q       Turn to page 256 which is the next page. In the  
14      bottom third of that page there's some aspects of this I'd like  
15      to review with you. See the area where it says "Other resort  
16      properties"?

17          A       Yes.

18          Q       And then right below that it says "burglar alarm  
19      type," the word yes is there?

20          A       Yes.

21          Q       Do The Hammocks or the Richmond Hill Inn have a  
22      burglar alarm system?

23          A       I don't know. You'd have to ask Cedric because I  
24      don't know.

25          Q       Have you ever had to activate a burglar alarm?

1 A No. I've never turned one off.

2 Q So you don't know if you had one?

3 A I have no idea.

4 Q Why would Cedric be the one to know whether or not  
5 you had a burglar alarm?

6 A Cause he's the one that knows all the maintenance  
7 issues and things like that.

8 Q Directly underneath that yes, there's burglar alarm  
9 installed and serviced by with the words "details to follow if  
10 requested," would you agree with me that that suggests that  
11 there was one?

12 A Yeah it definitely suggests there was one.

13 Q And then below that it says "premise fire protection  
14 sprinklers, standpipes, CO2/chemical systems" and below that the  
15 word "smoke/fire" are written in, do you see that?

16 A Yes.

17 Q Did the premise have a smoke alarm?

18 A I think so, yeah.

19 Q Did the premise have a fire alarm?

20 A I think so.

21 Q Now, if you look over beside the words "details to  
22 follow" there's a reference to number of guards/watchmen and  
23 there's a X and then there's a 2 beside that, do you see that?

24 A Yes.

25 Q Would you agree with me that that suggests that

1 there are two watchmen?

2 A In the past, yes. When this was done we had an  
3 active watchman all night. And then we had somebody at the  
4 front -- at a desk either -- usually in the mansion all night.

5 Q So at the time of this application the Richmond Hill  
6 Inn had two guards?

7 A We had security and what they call night audit a  
8 person who put the financial things into the computer, answered  
9 the phones and was there.

10 Q If you look adjacent to the word "smoke/fire,"  
11 you'll see a small box that has "percent S-P-R-N-K." Do you  
12 have any sense for what that means?

13 A Percent sprinkled.

14 Q There's 100 underneath there?

15 A Yes.

16 Q Can you think of what that 100 would correspond  
17 with?

18 A It's saying that all the buildings were sprinkled.

19 Q Were all the buildings sprinkled?

20 A As far as I know.

21 Q And then if you look to the right of that it says  
22 "fire alarm manufacturer" the word "yes," do you see that?

23 A Yes.

24 Q Okay. And again that would suggest there was a fire  
25 alarm?

1 A I would certainly imagine there was.  
2 Q Then to the right of that is an X beside central  
3 station, do you see that?  
4 A Uh-huh.  
5 Q Do you know what central station means?  
6 A No.  
7 Q So you don't know what that X means?  
8 A No.  
9 Q Do you know what a central station alarm system is?  
10 A Just that it rings somewhere another.  
11 Q Does it ring on premise or does it ring somewhere  
12 else?  
13 A I don't know.  
14 Q On Wednesday the 18th, as far as you know was the  
15 sprinkler system in the mansion activated?  
16 A I would think so.  
17 Q So as far as you know there's no reason for the  
18 sprinkler system not to work on the 18th and then the 19th?  
19 A No.  
20 Q Let me finish my question cause you kind of answered  
21 in the middle of it. As far as you know there was no reason for  
22 the sprinkler system not to work on either the 18th or the 19th?  
23 A No.  
24 Q It should have worked then?  
25 A It should have.

1 Q Now, I would like you to go back to 255 and there's  
2 a box it says at the top "Additional Interest/Certificate  
3 Recipient" there's a bunch of boxes that are left blank. Right  
4 in the middle of the page, Doctor, you'll see "Additional  
5 Interest/Certificate Recipient."

6 A Right.

7 Q And there's a bunch of boxes left blank, should  
8 those have been left blank?

9 A Well, there definitely was a lien holder that should  
10 have been included in there, I would think.

11 Q Who would the lien holder be?

12 A Richmond Hill, Inc.

13 Q And if you could turn to the next page, you'll see  
14 on 256 words similar words "Additional Interests" and those  
15 boxes are left blank, do you see that?

16 MR. PAYNE: I'm sorry. Where were you referring?

17 MR. NELSON: Additional Interests at the bottom.

18 A Oh down at the very bottom.

19 Q It's second box from the bottom.

20 A Yeah. I mean the mortgagee and we had a mortgagee  
21 so.

22 Q Who was the mortgagee?

23 A Richmond Hill, Inc.

24 (Discussion off the record.)

25 Q On page 251, do you see the box that says "Loss